



State of Utah

GARY R. HERBERT
Governor

GREG BELL
Lieutenant Governor

Department of
Environmental Quality

Amanda Smith
Executive Director

DIVISION OF WATER QUALITY
Walter L. Baker, P.E.
Director

C/007/001 Incoming
cc: Jill Marriott
Priscilla Burton

K

November 23, 2011

Dana Dean
Division of Oil, Gas and Mining
PO Box 145801
Salt Lake City, UT 84114-5801

Dear Ms. Dean:

Subject: Your Copy of the Water Quality Hardship Grant Fund

Enclosed is a signed and dated copy of the Water Quality Hardship Grant Fund that we discussed yesterday.

If you have any questions please contact me at 801-536-4384, or email me at mschmitz@utah.gov

Sincerely,

Mark Schmitz, Environmental Scientist
UPDES Engineering Section

Enclosures
MS:mc

cc: N/A

Mschmitz/wp/Copy of the Water Quality Hardship Grant Fund.Ltr. Doc.

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DIV. OF OIL, GAS & MINING

FY 2012 NONPOINT SOURCE GRANT AGREEMENT

WATER QUALITY HARDSHIP GRANT FUND

Division of Oil, Gas and Mining (DOGM) – Whiskey Creek Restoration

Department of Environmental Quality
Division of Water Quality

This grant agreement is entered into by and between the State of Utah, Department of Environmental Quality, Division of Water Quality, Water Quality Board (hereinafter the "BOARD") and the

Division of Oil, Gas and Mining
Applicant

applicant for a Hardship Grant under the Water Quality Board provisions contained in Title 73, Chapter 10C, Utah Code Annotated 1953 (hereinafter the "GRANTEE"). Pursuant to the provisions of the Statute, and the powers and functions of the Water Quality Board, the BOARD hereby finds and determines, based upon the formal application of the GRANTEE, the evidence provided by the GRANTEE to the BOARD and its staff, and information developed by the BOARD in its own investigations on the application of the GRANTEE, the following, that:

1. The GRANTEE is an individual, corporation, association, state or federal agency, or other private entity pursuant to Section 73-10c-4.5 (1) that intends to acquire, construct, or implement a nonpoint source project as defined in 73-10c-2 (9).
2. The proposed project has been determined to meet Nonpoint Source or wastewater project grant/loan considerations.
3. The project has been determined by the BOARD to not be economically feasible unless grant assistance is provided.
4. The GRANTEE has been authorized by the BOARD pursuant to Section 73-10c-4 (7) to receive a Hardship Grant.

Based upon these findings, the BOARD is authorized and empowered to, and does hereby, enter into the following agreement with the GRANTEE.

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DIV. OF OIL, GAS & MINING

11. When the GRANTEE is the Utah Department of Environmental Quality, paragraphs 6 and 7 of the General Provisions of this agreement shall not apply and will not be considered part of this agreement. When the GRANTEE is an agency of the State of Utah other than the Utah Department of Environmental Quality, the references to the State of Utah in paragraphs 6 and 7 of the General Provisions shall be considered to mean only the Utah Department of Environmental Quality, the Division of Water Quality, and the BOARD.

EXECUTION

NOW, THEREFORE, by virtue of the authority contained in Title 73, Chapter 10, Utah Code Annotated, 1953, as amended, the parties hereto mutually agree to perform this agreement.


IN WITNESS WHEREOF, the parties hereto have executed this agreement on November 23, 2011. This contract will take effect upon approval as evidenced by the appropriate signatures.

GRANTEE

STATE

APPROVED - UTAH WATER QUALITY BOARD

By: 
Dana Dean, DOGM, Applicant

By: 
Carl Adams, Manager
Watershed Protection Section